IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

WP(C).No. 3307 of 2007(R)

PETITIONER:

P. NARAYANAN, S/O.CHATHANKUTTY,
RESIDING AT CHELOOR HOUSE,
KALIKANDAM, P.O. MOONIYOOR.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS:

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1. DISTRICT COLLECTOR, MALAPPURAM.

2. THE SECRETARY, MOONIYOOR GRAMA PANCHAYATH.

3. THE DEPUTY TAHASILDAR, TALUK OFFICER, TIRURANGADI.

BY SC SRI.HARISH R.MENON

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 3307 of 2007

Dated this 31st day of January, 2007

JUDGMENT

The convenor of a beneficiary committee constituted in connection with the Progaramme known as Kalamkolliyal – Kalladathaxzham road Soling Project within the area of the 2nd respondent Panchayat, complains that even as the 2nd respondent Panchayat is refusing to release the balance payments that due to him, coercive action is being initiated against him. I do not propose to go into the merits of the matter. Ext.P2 representation has already been submitted by the petitioner before the Panchayat and Ext.P3 has been submitted by him before the District Collector. The prayer in Ext.P2 is only that the proceedings initiated against the petitioner be kept in abeyance. Ext.P3 contains a prayer that appropriate orders be passed immediately so that the balance amount due to the petitioner will be released. I feel that the issue should receive the attention of the Panchayat first. Under these circumstances without expressing any opinion on the merits of the grounds raised and on the genuineness of the petitioner's claim for

release of the balance amount, this writ petition will stand disposed of with the following directions:

The petitioner will submit a comprehensive representation voicing all his grievances and seeking whatever relief he is desirous of before the Secretary of the Panchayat. If the petitioner files such a representation within two weeks of receiving a copy of this judgment, the 2nd respondent will consider the representation, hear the petitioner and dispose of the same under intimation to the petitioner within another six weeks. Till such time as the 2nd respondent takes a decision coercive action for recovery of any amount from the petitioner will be kept in abeyance.

PIUS C.KURIAKOSE
Judge

dpk